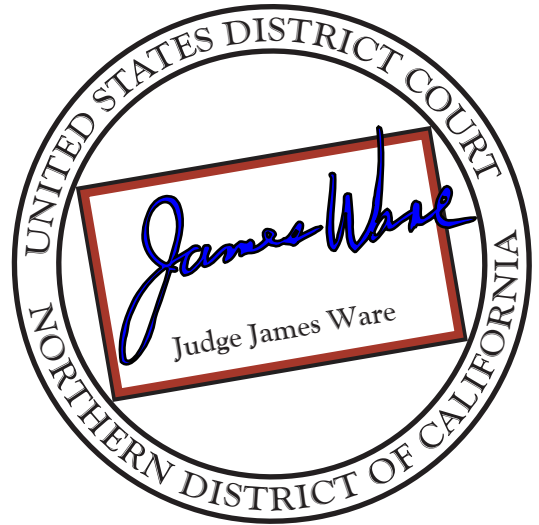


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13 INDEMNITY COMPANY



14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

17 AFFILIATED ENGINEERS W, INC.

No. C 06-04865-PVT

18 Plaintiff,

19 vs.

20 THE TRAVELERS INDEMNITY
21 COMPANY,

22 Defendant.

**STIPULATION TO CONTINUE
HEARING ON PLAINTIFF
AFFILIATED ENGINEERS W, INC.'S
MOTION FOR SUMMARY
ADJUDICATION**
[Local Rule 7-7]

Complaint filed: August 11, 2006
Trial Date: None Set

23 WHEREAS, Plaintiff Affiliated Engineers W., Inc. ("Plaintiff") filed its Motion for
24 Summary Adjudication on the duty to defend in this matter on September 15, 2006; and

25 WHEREAS, The Travelers Indemnity Company's ("Travelers") opposition to the Motion
26 for Summary Adjudication ("opposition") is due to be filed on or before October 2, 2006; and

27 WHEREAS, Nielsen, Haley & Abbott LLP (for Plaintiff) and Rudloff Wood & Barrows
28 LLP (for Travelers) have agreed to continue the hearing on the Motion for Summary Adjudication.

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1 NOW THEREFORE, it is stipulated that the previously noticed hearing on the Motion for
2 Summary Adjudication is continued from October 23, 2006 to October 30, 2006 at 9:00 a.m., and
3 the opposing and reply papers shall be filed in conformance with Local Rule 7-3.
4

5 DATED: September 29, 2006

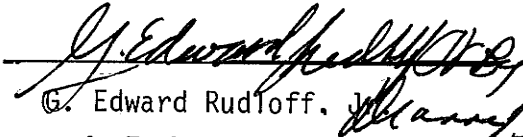
NIELSEN, HALEY & ABBOTT LLP

By:  for
James C. Nielsen

Attorneys for Plaintiff AFFILIATED
ENGINEERS W, INC.

11 DATED: September 29, 2006

RUDLOFF WOOD & BARROWS LLP

By: 
G. Edward Rudloff, Jr.
Attorneys for Defendant THE TRAVELERS INDEMNITY COMPANY 120870

19 F:\Trvl\Affiliated Engineers.220\Pleadings\Stip-Extend-oppo to MSA.doc
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PROOF OF SERVICE BY MAIL AND ELECTRONIC SUBMISSION VIA LEXIS/NEXIS

I, Barbara Parker, hereby declare:

I am over the age of eighteen and not a party to the within cause. I am employed in the County of Alameda, California, in the office of a member of the bar of the court in which the within action is pending at whose direction the following service was made. My business address is Rudloff Wood & Barrows LLP, 2000 Powell Street, Suite 900, Emeryville, California 94608.

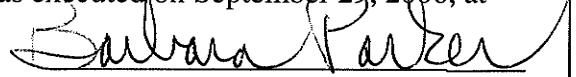
I am personally and readily familiar with the business practice of Rudloff Wood & Barrows LLP for the collection and processing of correspondence for mailing with the United States Postal Service, pursuant to which mail placed for collection at designated stations in the ordinary course of business is deposited the same day, proper postage prepaid, with the United States Postal Service.

I am also personally and readily familiar with the business practice of Rudloff Wood & Barrows LLP for electronic service of documents via Lexis/Nexis.

On September 29, 2006, I served the within: **STIPULATION TO CONTINUE HEARING ON PLAINTIFF AFFILIATED ENGINEERS W, INC.'S MOTION FOR SUMMARY ADJUDICATION [Local Rule 7-7]** on the parties named below in this action by (1) submitting via electronic submission via Lexis/Nexis and (2) placing a true copy thereof enclosed in a sealed envelope for collection and mailing on this date, following ordinary business practices, addressed as follows:

James C. Nielsen , Esq.
Nielsen, Haley & Abbott LLP
44 Montgomery St., Suite 750
San Francisco, CA 94104
Tel.: 415 693 0900
Fax: 415 693 9674
E-mail: jnielsen@nielsenhaley.com

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on September 29, 2006, at Emeryville, California.


Barbara Parker